**THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY**

**WRIT PETITION No. 16020 OF 2007**

**Dated 23rd August, 2007**

Between:

P.Suribabu

…Petitioner

And

The Vice-Chancellor, Andhra University,
Visakhapatnam and another.

…Respondents.

**ORAL ORDER:**

In this writ petition, petitioner seeks a writ of mandamus declaring the action of the respondents in not issuing him the provisional certificate for the course undergone by him in B.E. (Electrical & Electronics) (Part time), as illegal and arbitrary.

The petitioner, an employee of A.P. State Electricity Board, joined in the Bachelor of Engineering (Electrical and Electronics) (Part time) course being conducted by the respondent-University. It is his grievance that though he is qualified in all the subjects of four years, without any valid reason, respondents are not issuing provisional certificate of the said course to him.

Though no counter-affidavit is filed, on instructions, it is submitted by the learned Standing Counsel appearing for the respondents that the Bachelor of Engineering course for Diploma Holders is governed by the specific regulations framed by the university. It is stated that as per Regulation 9.1 of the Regulations for Four-Year Part-time B.E. Degree Course for Diploma Holders, a candidate shall be deemed to have satisfied the minimum requirement for the award of the B.E. Degree;

(i) If he has passed all the subjects (Theory and Practicals included in the scheme of Instruction of I, II, III and IV years), and,

(ii) If he has secured 50% of marks in the overall aggregate of both University and sessional examinations put together of all the subjects of B.E.Course.

In the instant case, undisputedly, though the petitioner is qualified in individual subjects of all the four years, but, however, he has not secured 50% of marks in the overall aggregate of both

University and sessional examinations put together of all the subjects of B.E. Course for award of the degree as per Regulation 9.1 (ii) of the Regulations framed by the University. The provisional certificate will be issued only to the candidates who satisfy the minimum requirement for award of the degree. As the petitioner did not satisfy the minimum requirement of securing 50% of marks in the overall aggregate of both University and sessional examinations put together of all the subjects of B.E. Course, the question of issuing any pass certificate/provisional certificate to the petitioner will not arise.

The writ petition is devoid of any merits and is accordingly dismissed. No costs.

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23-8-2007

**R.SUBHASH REDDY, J.**

**VR**

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